

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION

NO. 2:24-CV-3-FL

ANTOINE D. MARTIN,)
)
Plaintiff,)
)
v.) ORDER
DEXTER HAYES, Sheriff of the County of)
Hertford,)
)
Defendant.)

This matter is before the court on plaintiff's motions for order to show cause, for leave to file reply to defendant's response to objections, for leave to file excess pages, and to amend/correct objections. (DE 20, 24, 25, 26). Also before the court is defendant's response (DE 23) to plaintiff's objections, which includes an embedded motion to strike plaintiff's objections as exceeding length limitations (DE 21).

Local Civil Rule 72.4(b)(2) provides that objections to a magistrate judge's memorandum and recommendations (M&R) must comply with the length limitations in Local Civil Rules 7.2(f)(2)(B) and 7.2(f)(3)(B), which provide for a ten page or 2800 word limitation. Here plaintiff's objections are 137 pages long and contain an estimated 45,000 words. In the instant motions, plaintiff seeks to waive this requirement, or in the alternative he seeks an opportunity to file amended objections at a length exceeding ten pages. Defendant asks the court to consider only the first ten pages of plaintiff's objections, and defendant also addresses the substance of the objections in their entirety.

Under the circumstances of this case, the court will consider the entirety of plaintiff's 137 page objections. Accordingly, that part of defendant's response construed herein as a motion to strike (DE 23) is DENIED, and plaintiff's motion for leave to file excess pages (DE 25) is GRANTED. Plaintiff's alternative motions for leave to file reply and to amend/correct objections (DE 24, 26) are DENIED. Plaintiff is warned that future filings, if any, must comply with the page limitations in the Local Rules.

Turning to plaintiff's motion for order to show cause, plaintiff seeks to have the magistrate judge respond to issues raised by plaintiff concerning the substance of the M&R. These issues raised by plaintiff's motion for order to show cause more properly are considered in context as additional objections to the M&R, which the court will consider upon review of the same. There is no basis in law or procedure otherwise for the relief sought. Therefore, plaintiff's motion for order to show cause (DE 20) is DENIED.

The court will address by forthcoming separate order the remaining pending motion to dismiss (DE 12) and M&R (DE 19).

SO ORDERED, this the 26th day of February, 2025.



LOUISE W. FLANAGAN
United States District Judge